## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

WENDY and KEITH FRICKEY,	)
Plaintiffs,	) ) No. 3:09-00264
v.	) JUDGE HAYNES
PROGRESSIVE CASUALTY INSURANCE CO., and PROGRESSIVE HAWAII INSURANCE	) ) )
CORPORATION,	)
Defendants.	)

ORDER

Upon stipulation of dismissal (Docket Entry No. 14) and pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, this action is hereby **DISMISSED without prejudice**.

Each party shall bear its own costs.

It is so **ORDERED**.

ENTERED this the \_\_\_\_\_\_ day of December, 2009.

United States District Judge